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**PATENT**  
Attorney Docket No. 223505  
Client Reference No. HP217302-003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Benjes et al.

Art Unit: 1626

Application No. 10/615,044

Examiner: T.A. Solola

Filed: July 8, 2003

For: PROCESS FOR PREPARING KIFUNENSINE  
INTERMEDIATE AND KIFUNENSINE  
THEREFROM

**NOTICE OF APPEAL FROM THE  
EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop Appeal Brief – Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed February 28, 2005, rejecting the following claims: 1 and 4-18.

The items checked below are appropriate:

**1. Status of Applicants**

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

**2. Fee for Filing Notice of Appeal**

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☐ other than a small entity or ☒ a small entity.

**Notice of Appeal Fee due \$250.00**

**3. Extension of Time**

☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$120.00.

☐ An extension for one-month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total amounts of extension now requested.

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- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**Extension fee due with this request: \$**

**4. Total Fee Due**

The total fee due is:

|                        |          |
|------------------------|----------|
| Notice of Appeal Fee   | \$250.00 |
| Extension Fee (if any) | \$ 0.00  |

**Total Fee Due: \$250.00**

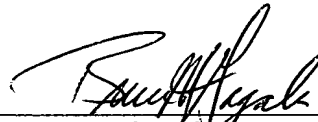
**5. Fee Payment**

- ☐ Attached is a check in the sum of \$ .  
☒ Charge Account No. 12-1216 the sum of \$250.00. A duplicate of this transmittal is attached.

**6. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



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Date: May 27, 2005

In re Appln. of Benjes et al.  
Application No. 10/615,044

CERTIFICATE OF MAILING

I hereby certify that this NOTICE OF APPEAL (along with any documents referred to as attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: \_\_\_\_\_

May 27, 2005

